

Risk Management

Index of Articles—1988

RM GENERAL

Liability and the EEC Directive—How Far Will It Go?, Alberto Ugoni, February, p. 28.

Discusses how EEC countries have been implementing a directive regarding manufacturers' liability due to product defects.

Is Risk Management Essential to Corporate Survival?, Dennis Farthing, February, p. 34.

Examines the risk manager's role in the insurance spectrum, the dichotomy of business and pure risk and what the future foretells for the profession.

The Power of Proper Broker Management, J.A. Tony Bridger, February, p. 38.

Provides a set of pointers to consider when risk managers select brokers.

Spencer Foundation Helps Develop Risk Management's Future, Ken Weinstein, March, p. 58.

Describes the history of the Robert S. Spencer Memorial Foundation and its role in helping students of risk management achieve their educational goals.

RIMSNET on the Road Brynell Somerville, April, p. 32.

Describes several new features that were added to RIMSNET, the Risk and Insurance Management Society's electronic news and information service.

RIMS Student Involvement Program: A Key to RM's Future, Ken Weinstein, April, p. 88.

Describes the program's commitment to furthering an interest in risk management among students and relates various success stories from graduates of the program.

Atlanta Educational Conference Widens Boundaries, Tom Johnson, April, p. 90.

Covers the highlights of the conference, which included discussion of the state of the property/casualty industry and protecting a company's executives.

The Greatest Story Never Told, Richard C. Heydinger, May, p. 20.

An overview of the increased level of professionalism, commitment and sophistication that risk managers have achieved despite the property/casualty insurance crisis.

RIMS Capitalizes With Largest Conference to Date, Ken Weinstein, June, p. 48.

Highlights some of the seminars and speeches that were part of the 26th Annual RIMS Conference in Washington, DC.

Policyholders vs. Insurance Companies: Stand Up for Your Rights, Ken Weinstein, June, p. 64.

Part of the RIMS Conference coverage, this article discusses the "bad faith" that can exist between policyholders and insurers when insurance companies back out of contractual agreements.

PRIMA Celebrates Its First Decade, Tom Johnson, July, p. 74.

Highlights seminars held during PRIMA's 10th Annual Conference, including sessions on limiting police liability, public works safety and park and recreation loss control.

Risk Managers are Warned to Prepare for 'Deadly' Mergers, Mark Schussel, September, p. 69.

Provides job security tips for risk managers in the event that their company is merged or acquired.

Southeast Regional Involves RIMS Members, Tom Johnson, December, p. 55.

Introduces a special section devoted to the 19th Annual RIMS Southeastern Regional Education Conference in Myrtle Beach, SC.

Networking On RIMSNET: Let Your Fingers Do the Talking, Brynell Somerville, October, p. 72.

Explains the new computerized technology for communicating with fellow risk managers.

Canadian Risk Managers Go Back to the Future in Toronto, Elizabeth Hook, November, p. 64.

Highlights various seminars at the RIMS Canadian Conference.

RIMS Chapter Celebrates 50th Anniversary, Rita Epstein, November, p. 72.

Makes note of the 50th anniversary of the RIMS Pittsburgh Chapter, the host of the North Central Regional Conference, and highlights various conference seminars, including coping with uninsured losses and the continued growth of alternatives.

Aircraft Builders Mark 33 Years of Continuity, Tom Johnson, December, p. 59.

Introduces a special section covering the Aircraft Builders Council Fall Seminar in Scottsdale, AZ.

Explains that revamping the workers' compensation system is necessary in light of the economy's shift of emphasis from heavy manufacturing to service industries and describes several ways in which this can be done.

Distinguishing Between Independent Contractor and Employee Status, Edward G. Carr, May, p. 34.

Helps readers understand the legal and insurance implications in the relationships between principal and contractor and between employer and employee.

Paying Respect to Safety Through Effective Communication, Kevin P. Kelley, May, p. 42.

Enumerates ways professional safety managers can communicate effectively, including the development of particular styles.

Directors and Officers Liability—Coverage and Control, Frank R. Tierney, June, p. 24.

Lists ways to limit or reduce potential D&O liability exposures by using survey and screening techniques and examines potential pitfalls of bylaw indemnification clauses.

A Stroll Down Exhibitor Lane, Rita Epstein, June, p. 56.

Focuses on the evolution and continued success of the exhibit hall area at the Annual RIMS Conference.

Insurance Archeology—Can You Dig It?, Ken Weinstein, June, p. 71.

This RIMS Conference article explains that the job of an insurance archeologist is to reconstruct a corporation's coverage history even when the old policies are unavailable.

Casualty Claims: An Accountant's Day of Reckoning, Chris Campton, August, p. 38.

Details how accountants can assist claims people when they are faced with investigating and evaluating claims.

Controlling Workers' Compensation Costs "California Style", Arnold Milstein, September, p. 30.

Explains how hospital bill audits, PPO contracting and utilization review can control the large number of workers' compensation claims.

Insolvency Disasters: Skirt, Don't Flirt, Mark Schussel, October, p. 94.

Outlines the warning signals of impending insurance company insolvencies.

Expert Systems: Men Behind the Machines, Donald A. Smith, November, p. 56.

RM APPLICATIONS

Workers' Compensation—Managing the Cost Crunch, Phillip L. Polakoff and Paul F. O'Rourke, March, p. 52.

Describes sophisticated computer programs and how they are being used by insurers and risk managers.

Financing Risk for Products in Use: An Aircraft Industry Example, Richard T. Zatorski, December, p. 28.

Explores the potential liability of aircraft parts manufacturers.

Equivalent Actuarial Maturities: A Formula for Success, Steven M. Visner, December, p. 34.

Offers a helpful formula for risk managers who need to estimate loss reserves.

NASA Confronts a Case of Space Shuttle Diplomacy, Tom Johnson, December, p. 59.

Discusses NASA's space shuttle program and the specter of Soviet competition.

LOSS CONTROL

Hair Analysis: A New Turn in Drug Testing, Rosa Jordan, April, p. 68.

Describes how hair analysis might be the most effective method to test employees for substance abuse while avoiding the legal entanglements that ensue from drug testing.

Clutch Management in a Crisis, Robert M. Bieber, April, p. 72.

Discusses the importance of being prepared for a crisis and illustrates how a crisis should be handled.

Loss Control—Preventing Back Injury at Work, Jack S. Kanner, April, p. 92.

Overviews the subject of back injuries and reveals that the key element in ensuring back safety in the workplace is to establish a physical awareness of the natural, first response to a potential incident.

Crisis Planning: Master the Disaster, Basil F. Holcomb, July, p. 18.

Explains the invaluable role of a well prepared disaster plan in cutting a company's losses in the event of even the smallest tragedy.

Cutting Your Losses in a High-Rise Building Fire, Glenn R. Evenson, July, p. 24.

Describes some recent major high-rise building fires and measures that can be taken to reduce the number of fatalities in the event of such catastrophes.

Managing the Risks of Toxic and Flammable Vapor Clouds, George E. Parris, July, p. 54.

Discusses the characteristics of flammable and toxic vapor clouds and offers advice on how to handle their potentially devastating effects.

Instilling Employee Pride Through a Loss Control Program, Nancy L. Reppert, July, p. 36.

Describes how the emotional state of an employee in the workplace has an uninitiated effect on an organization's bottom line.

Executives Contemplate the Call of the Wild, Fikry S. Gahin and Susan Chesteen, July, p. 44.

Explores the pros and cons of executive

wilderness training and how it should concern the risk manager.

An Analysis of Trash Container Policies: Can It or Bag It?, Charles K. Anderson and Mark R. Ferraro, August, p. 20.

Winner of the 1988 RIMS Research Award, this article analyzes how a major city's sanitation department discovered ways to make a garbage collector's job less physically demanding.

Coping With Boredom in the Cockpit Before It's Too Late, Vernon L. Grose, August, p. 30.

Explains that as aircraft technology is more computerized, the pilot is less taxed and becomes bored—suggests ways to surmount the potentially tragic problem.

Political Risk Management: Steering Clear of Risky Business, James C. Baker and M. Anaam Hashmi, October, p. 40.

Discusses the importance of assessing the political atmosphere of a country before doing business there and provides background on a variety of services used for making such assessments.

Factors of Safety: They're Worth a Dam, Michael A. Pero, November, p. 20.

Discusses dam design and construction and how dam safety should be evaluated.

FAA is Striving to Safeguard the Friendly Skies, Tom Johnson, December, p. 60.

Spotlights the enormous responsibility wielded by air traffic controllers and discusses the development of TCAS-II, a system designed to reduce mid-air collisions.

EMPLOYEE BENEFITS/HEALTH CARE DELIVERY

Health Care: Push is Coming to Shove... How Will We Respond?, Joseph Charles, January, p. 20.

Analyzes the current employee benefits scene and its prospects for the next few years, including a review of emerging trends such as HMOs and the AIDS crisis.

How Much Unfunded Liability is Woven Into Corporate Benefit Plans?, T. Patrick Duggan, January, p. 24.

Describes the results of a survey on retirement medical benefits involving executives from 40 major U.S. corporations.

When Curing Health Care Costs Creates Liability, Norma L. Nielson and W. Alfred Mukatis, January, p. 34.

Cites pertinent court cases to underscore various kinds of legal liability that businesses face, including implied warranty breach, liability of employers sponsoring alternative delivery systems and vicarious liability.

Liability for Quality in Alternative Health-Care Systems, Thomas C. Billet and Robin A. Maley, January, p. 44.

Explores the relationship between quality and cost of various HMO and PPO options.

Supermeds: The Future of Managed Health Care, Donald G. Lightfoot, January, p. 50.

Discusses the future of managed health care delivery systems and argues that fee-for-service medicine and indemnity insurance will be outmoded in the years to come.

Bridging the Employee Benefits-Risk Management Gap, Tom Johnson, January, p. 60.

RIMS New Jersey Chapter members address the problem of coordinating the functions of risk management and employee benefits.

Risk Aversion in Flexible Benefit Plans—Freedom of Choice, Howard M. Whitehead, April, p. 52.

Explains that with the advent of flexible benefit plans, employers must be more able to predict employee choices and offers an employee survey to aid in this task.

Cutting Costs With Return-to-Work Programs, Jonathan H. Gice and Kathryn Tompkins, April, p. 62.

Reveals how total disability benefits can be unnecessarily expensive for an employer and illustrates how a return-to-work program can be an effective method to reduce these costs.

A Sane Approach to Mental Disability Claims, Eric Marcus, May, p. 48.

Details the psychiatric disability claims process in Southern California with a focus on workers' compensation "factories" that are geared to quick diagnosis and speedy facilitation of employee cases.

The AIDS Crisis and What the Future Foretells, Prema Nakra, May, p. 54.

Examines the tremendous insurance costs associated with the AIDS epidemic in the United States.

The Future of Employee Benefits—Uncle Sam Wants You!, Tom Johnson, June, p. 58.

RIMS Conference panelists discuss the future of employee benefits, including government mandation of private plans, government control of service providers and a possible national health care plan.

Retiree Health Care: The Nature of the Promise, Tom Johnson, June, p. 60.

Benefits expert Phyllis Borzi cautions RIMS Conference attendees that employers' health care promises must be clearly discerned before Congress will permit pre-funding of retiree health benefits.

Senator Hatch's Minimum Health Insurance Specter, Tom Johnson, June, p. 62.

Discusses Sen. Orrin Hatch's opposition to Sen. Edward Kennedy's proposed minimum health care bill, S.1285.

Successful Approaches to Helping Troubled Employees, Elizabeth Hook, June, p. 70.

Underlines the importance of employee assistance programs.

Battling AIDS Into the Next Century, Tom Johnson, December, p. 56.

Overviews the tragic cost in lives and dollars that the AIDS crisis will cause in the 1990s and beyond.

INSURANCE MARKET

Full Coverage—The Meaning and the Myth, Kevin M. Quinley, April, p. 38

Discusses the problem of coverage expectations inherent in the vendor/manufacture relationship.

Is Reinsurance Under-Regulated?, Bruce Bunner, April, p. 78

Accuses reinsurers of significantly contributing to the recent downside of the underwriting cycle and concludes that the best regulation for reinsurers is self-discipline.

Any Number Can Play—Substitutes for Insurance Coverage, Yehuda Kahane, May, p. 26

Offers alternative explanations of the insurance transaction and discusses their implications for the development of new insurance products and markets.

Insurers Can Break Barriers to Help Reduce Trade Deficit, Henry G. Parker III, June, p. 30

Details the problem of limited access to worldwide insurance markets and suggests methods in which the U.S. Government, working in tandem with the International Insurance Council, can open doors that will help reduce the trade deficit.

Hard Market Repercussions and Rise of Alternatives, James D. Blinn and Michael L. Levine, June, p. 40

Using several RIMS-sponsored insurance availability surveys, the authors conclude that alternatives to insurance have become a permanent part of the marketplace.

Is There Life in the Alternative Market?, Elizabeth Hook, June, p. 66

Seminar panelists reassure attendees of the strength of alternatives and their continuing role in the insurance marketplace.

Can Insurance Pools Continue to Sparkle After the Crisis?, Julie Viscount, September, p. 44

Questions whether insurance pools, created to help public entities survive the hard market crunch of unavailable and unobtainable insurance, can survive the cycle change.

International Trade Discrimination: We Shall Overcome, Gordon J. Cloney, October, p. 50

Expounds on the problems U.S. insurers and reinsurers are having in international markets due to unjust practices and explains how progress is being made in eliminating the barriers.

The Slippery Side of Reinsurance, Mark Schussel, October, p. 92

Discusses the state of the reinsurance marketplace.

The Linus Syndrome, H. Felix Kloman, November, p. 30

Argues that risk managers who do not use alternative risk financing mechanisms are foolishly relying on the traditional marketplace, a security blanket which is full of holes.

Just the Facts—A David Responds, Suzanne H. Crager, November, p. 48

Attacks an analysis of Lloyd's of London published by the Center for Study of Responsive Law.

Reinsurance: The Underwriting Cycle's Elusive Component, Elizabeth Hook, November, p. 68

Focuses on the current role of the facultative reinsurance market and pinpoints some potential problem areas, including a drop in reinsurance volume of 30 percent.

SELF-INSURANCE

Self-Insurers Focus on Big and Small Pictures, Howard Greene, November, p. 75

Highlights the Self-Insurance Institute of America's Eighth Annual National Educational Conference and Expo.

Self-Insurance: An Alternative You Can Account On!, E.J. Leverett Jr. and Joseph V. Carcello, December, p. 46

Discusses the two primary methods of self-insurance accounting.

Self-Insurance Is Seen as a Viable Option for the Future, Tom Johnson, December, p. 55

Explores pooling as a risk retention alternative to the traditional insurance market.

CAPTIVES

Captive Use in Developing Countries—Boon or Bust?, Harold D. Skipper Jr., February, p. 18

Culls highlights from a United Nations study, "The Impact of Captive Insurance Companies on the Insurance Markets of Developing Countries."

Captives and ARGs: Deciding When They are Appropriate, Jane Y. Rastall and Malcolm Butterfield, March, p. 32

Provides risk managers with methods for evaluating the various risk financing alternatives.

ACE and X.L. are Held Captive in the Critical Spotlight, James V. Davis, September, p. 36

Analyzes the progress of these two very atypical captive companies.

The Emergence of Canadian Captives, Julian T. W. Kenney, October, p. 22

Presents an overview of the burgeoning captive market in British Columbia, including a look at tax incentives and legislation that are helping Canada to attract captive business.

Vermont Meets Needs of Captive Industry, Mark Schussel, October, p. 90

Highlights the progress of the state's captive industry and what lies ahead for companies wishing to domicile in Vermont.

Captive Growth Poses Danger, Mark Schussel, October, p. 90

Discusses how the rapid growth of alternative risk financing mechanisms into a \$55 billion marketplace poses a threat of additional taxation and regulation to such entities.

Investing Time to Find the Right Investment Managers, Mark Schussel, October, p. 94

Discusses how captives can select appropriate investment managers.

Will FASB No. 94 Close the Purest Captive Door?, Patrick M. Lynch, November, p. 38

Questions whether the implementation of FASB No. 94 will inhibit the formation of pure captive insurance companies.

LEGAL

Torts in the Courts—Is There Any Hope?, Stewart Dalzell, March, p. 20

Tells of the horrible abuse of the U.S. tort system by the courts, but with proof of recent cases, notes that a change might be at hand.

Periodic Payments and Tort Reform—It's Good For Everybody, Alan Cooper, March, p. 48

Discusses that in the fight for tort reform the issue of periodic payments has been ignored and offers both sides of the structured settlements argument.

Does Punishment Fit the Civil Claim?, David R. Strawbridge, August, p. 44

Discusses recent challenges to the constitutionality of awarding punitive damages in civil cases and the Supreme Court's signal to the lower courts that it intends to deal with the question when the proper case framing the issue comes before it.

Great Expectations: A Tale of Malpractice, Edward E. Bartlett, September, p. 20

Puts the onus of the skyrocketing increase of malpractice suits on patients' unrealistic expectations of a certain type of medical care due to the lack of communication between patients and health care providers.

Torts in the Courts—Yes, There's Hope, Stewart Dalzell, September, p. 54

In response to his article in the March issue, the author claims that, in light of recent Supreme Court decisions, there is movement toward a fair civil liability law environment.

Analyzing the Case of the Attorneys' General Antitrust Suits, Albert J. Millus, October, p. 58

Analyzes the antitrust suits brought by state attorneys general against several insurance companies and organizations.

Commissioner Responds to RIMS McCarran-Ferguson Position, David N. Grubb, October, p. 76

Written in response to the RIMS position paper on the McCarran-Ferguson Act.

Changes on the Horizon for the Legal System and Risk Management, Elizabeth Hook, November, p. 64

Forecasts legal changes that encompass market share and product liability.

Winning the 'Expected' or 'Intended' Shell Game, Eugene R. Anderson and Carol A. Matthews, December, p. 15

Discusses the legal consequences of the phrase "expected or intended" in the current standard CGL insurance policy form.

Aviators Take Aim to Explode a Myth, Tom Johnson, December, p. 62.

Focuses on the General Aviation Liability Standards Act which was written to address the product liability crisis facing aviation companies.

ENVIRONMENTAL IMPAIRMENT

The Tangled Web of Chemical Hazard Regulations, Roman F. Diekkemper, March, p. 26.

Discusses how the risk management function can be used to create a risk-avoidance system to avert entanglement with the myriad of chemical hazard regulations.

Superfund—Exposures You Can Bank On!, Suzanne H. Crager, April, p. 44.

Offers advice on how banks, as secured lenders of property, can protect themselves from being held liable for cleanup costs due to the reauthorization of CERCLA in 1986.

The European Perspective on Environmental Protection, Bruno Zingg, October, p. 36.

Discusses the problem of environmental protection in Europe and the ways various countries are dealing with it.

Firms Must Inform Employees About Hazardous Substances, Elizabeth Hook, November, p. 70.

Examines the ramifications of Canada's Workplace Hazardous Materials Information System, legislation which requires employers to inform employees about workplace chemicals and how to handle them safely.

Environmental Risks Pose a Threat to the Bottom Line, Tom Johnson, December, p. 56.

Focuses on the devastation that a large environmental property suit can cause to a company and suggests ways to avoid such a suit.

RIMS/INDUSTRY LIAISON

RIMS/Sedgwick-James Liaison Meeting, May, p. 60.

Hartford Steam Boiler/RIMS Meeting Addresses Key Issues, June, p. 76.

RIMS and Marsh & McLennan Thrash Out Issues of Mutual Concern, July, p. 70.

CIGNA Cites Quality Service as Down-Cycle Antidote, October, p. 80.

LEGAL CONSIDERATIONS

A monthly column by P. Bruce Wright

Tax Court Rules Against Gulf Oil; IRS Says Strike Fund Contributions are Deductible, January, p. 56.

IRS Rules on Liquidation of Insurance Subsidiaries, February, p. 45.

Proposed Bill to Limit Tax Shelter Use of Life Insurance; FL Exchange in Receivership; IRS Approves French Exemption, March, p. 54.

IRS Brings Lip on Onshore Tax Advantages, April, p. 34.

Governments are Allowed to Create Group Liability Protection Pools; Schools are Taxed for Providing Health Coverage, May, p. 64.

The Facts on Various Tax Issues, June, p. 82.

IRS Issues Favorable Ruling on Exempt Group's Captive, July, p. 65.

New York Addresses Concerns Over RRGs, August, p. 48.

How the 1986 Tax Provisions Might Change, September, p. 62.

Changes May Pull Bermuda Treaty from Devil's Triangle, October, p. 85.

IRS Sets Rules on Captives Writing Open Market Business, November, p. 62.

Senate OKs Treaty; IRS Extends Captive Election Period, December, p. 51.

LONDON PERSPECTIVE

A monthly column by Chris F. Best

U.K. Insurance Market Resists Coming to Terms With Captives, January p. 58.

The Insurance Cycle... And So It Goes, February, p. 44.

Lloyd's, It is A-Changing, March, p. 56.

Bermuda No Longer Holds World Captive as Domiciles Come of Age in the United Kingdom and Europe, April, p. 30.

Independence Makes for the Most Effective Communications, May, p. 58.

U.K. Agency Keeps Tax Tabs on Offshore Captives, June, p. 80.

The Changing Face of the European Insurance Market, July, p. 54.

Despite Results, Insurers Line Up for Business, August, p. 62.

Industry Problems? They're Only Natural, September, p. 60.

Lloyd's Faces Challenge on All Fronts, October, p. 88.

What Does Education Have to Do With Insurance?, November, p. 58.

Insurers Fail to Meet 25 Years of Buyers' Needs, December, p. 54.

SPECTRUM

A monthly column by the RIMS Governmental Affairs Department

Broker Restrictions Hurt; A 'Catastrophic' Problem, January, p. 7.

'88 Outlook for Product Liability; Auto Rental Inequities Surface, February, p. 7.

Should Commercial Insureds Get Guaranty Fund Protection?; Proposal to Reduce Pension Investment Liability, March, p. 7.

Minimum Health Bill Passes Senate Committee; Three Part Bill Subject of NY Auto Rental Hearing, April, p. 7.

States File Antitrust Suit; Courts Limit CGL Pollution Coverage; Risk Notification Bill Shelved by Senate, May, p. 7.

Federal Court Restricts Purchasing Groups; RIMS Calls for Integrity Policyholders Committee; House Bill Would Expand COBRA, June, p. 7.

Product Liability Bill Passes House Committee; NY Insurers Sue Over Guaranty Fund Assessment, July, p. 7.

NAIC Adopts CDW Model; COBRA Corrections Moving Through Congress, August, p. 7.

RAA Urges Reinsurance Excise Tax Hike; Stark Minimum Health Bill Introduced, September, p. 7.

RIMS Urges Regulatory Hearings on ISO CGL Filings, October, p. 7.

RIMS Calls for Certificate of Insurance Reform, November, p. 7.

Congress Revises COBRA Penalties; RIMS Opposes NY Excess Lines Tax Schemes, December, p. 7.



